

**Notice of Allowability**

Application No.

10/814,092

Examiner

Rodney H. Bonck

Applicant(s)

KUISSI ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received December 21, 2005.
2. ☒ The allowed claim(s) is/are 1 and 2.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_

The following action is in response to the amendment received December 21, 2005.

***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

**In claim 2, line 2, after "through", "the" has been deleted.**

**In claim 2, line 3, "a slip clutch " has been changed to – the slip clutch --.**

**In claim 2, line 8, after "opposite", -- the – has been inserted.**

**In claim 2, line 15, "a series" has been changed to – the series --.**

**In claim 2, line 15, "the switch" has been changed to – the reed switch sensor --.**

The above changes have been made to clarify antecedent basis for various terms in the claim.

***Allowable Subject Matter***

Claims 1 and 2 are allowed.

***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to show or render obvious an over-running clutch in the combination recited in claim 1 including the claimed sensor, magnetic actuator, and shield as defined in the claim, and particularly wherein the shield is disposed for shielding the sensor from the magnetic actuator when the input and the output are jointly rotating and allowing the sensor to be sufficiently exposed to the magnetic field to change the state of the sensor when the input and output are overrunning.

The art of record also fails to show or teach the combination defined in claim 2 including a reed switch sensor, a magnetic actuator, and shield assembly wherein the shield assembly blocks the magnetic field between the reed switch sensor and the actuator until the clutch slips, the shield having a series of openings such when the clutch faults the shield assembly rotates to a position exposing the actuator and the sensor through the openings thereby changing the state of the reed switch sensor.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Amendment***

Applicants' amendment to the specification filed December 21, 2005 overcomes the objection to the drawings set forth in the previous Office action. Accordingly, the objection is withdrawn.

The amendment filed December 21, 2005 corrects some of the antecedent problems in claims 1 and 2. Certain other ambiguities concerning antecedent basis have been corrected by the examiner's amendment above, e.g., that "a slip clutch" in line 3 of claim 2 refers to the slip clutch defined in line 2. Accordingly, the rejection under 35 USC 112, second paragraph, set forth in the previous Office action is withdrawn.

Applicants' arguments (pages 5-7 of the response filed December 21, 2005) regarding the rejection of claims 1 and 2 under 35 USC 103(a) have been considered and are persuasive. Therefore, the rejection of claims 1 and 2 under 35 USC 103(a) is withdrawn, and the claims are allowed for the reasons set forth above under "Reasons for Allowance".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney H. Bonck whose telephone number is (571) 272-7089. The examiner can normally be reached on Monday-Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rodney H. Bonck  
Primary Examiner  
Art Unit 3681

rhb  
January 23, 2006